

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA : CR-1-09-020-3  
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v. : GOVERNMENT'S PLEA  
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DAVID KEMP : Senior Judge Spiegel

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1. **Elements:** 21 U.S.C. § 846  
Count 1 - Conspiracy to Distribute Cocaine

First: That during the time period set forth in the Indictment, the persons named in the Indictment and others agreed to possess with intent to distribute and to distribute cocaine;

Second: That the defendant joined those people in agreeing to distribute and possess with intent to distribute cocaine;

Third: That he did so knowingly and intentionally; and

Fourth: That the conspiracy existed in whole or in part in the Southern District of Ohio.

2. **Penalties:**

A. Possible Maximum: 5-40 Imprisonment,  
a \$2,000,000.00 fine, and at least  
4 Years of Supervised Release.

B. \$100.00 Assessment.

Respectfully submitted,

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